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Message Text

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12
ACTION EUR-12

INFO OCT-01 ISO-00 ARA-06 IO-10 CIAE-00 DODE-00 PM-03 H-01

INR-07 L-02 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02

SS-15 USIA-06 AID-05 COME-00 EB-07 FRB-01 TRSE-00

XMB-02 OPIC-03 CIEP-01 LAB-04 SIL-01 OMB-01 STR-01

CEA-01 SAM-01 AGR-05 /106 W
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R 312052Z DEC 74
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 5312

C O N F I D E N T I A L OTTAWA 4201

E.O. 11652: GDS
TAGS: ETRD, ESTC, CU, CA
SUBJECT: CANADIAN-CUBAN TRADE

REF: (A) OTTAWA 4198; (B) OTTAWA 4170; (C) OTTAWA 4177

1. IN DEPARTMENT'S CONSIDERATION OF SUBJECT IF
AND WHEN LITTON SEEKS PERMISSION MENTIONED REFTEL A,
I SUGGEST CANADIANS BE ASKED TO CLARIFY TWO POINTS:

A. WHILE LITTON REQUEST INVOLVES SHIPMENT OF
OFFICE MATERIAL FROM CANADA TO CUBA BY CANADIAN
SUBSIDIARY OF AMERICAN COMPANY, WE BELIEVE CUBANS
WILL CONTINUE TO DEVELOP PATTERN ON BASIS OF
PRECEDENTS CREATED IN THIS AND EARLIER CASES.
THERE ARE ALREADY INDICATIONS THAT APPROACHES HAVE
BEEN MADE TO CANADIAN SUBSIDIARIES OF OTHER US
COMPANIES WHICH PRODUCE HIGH-TECHNOLOGY QUIPMENT.
CANADIANS COULD CLARIFY WHAT LIMITS IF ANY THEY
ENVISAGE ON CATERGOIES OF EQUIPMENT LOCAL FIRMS
MIGHT DESIRE TO SHIP TO CUBA. WE KNOW GOC SUBSCRIBES
TO COMOM LIST, BUT THAT LIST NOW GRANTS CONSIDERABLE
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WIDER TRADING LATITUDE THAN WE PRESUMABLY WOULD WISH

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TO APPLY TO CUBA EBEN IF WE WERE TO RELAX POSITION
WITH RESPECT TO ITSM SUCH AS OFFICE FURNITURE.

B. CANADIANS ARE CONSIDERING LEGISLATION (REFTEL B)
WHICH GILLESPIE WISHES TO PUSH THROUGH PARLIAMENT
IN NEAR FUTURE, AND WHICH IN EFFECT WOULD REQUIRE
ALL CANADIAN SUBSIDIARIES OF FOREIGN COMPANIES TO
RESPOND ONLY REPEAT ONLY TO CANADIAN LAWA IN
DEVELOPING FOREIGN COMMERCE. SUCH LEGISLATION, ON
FACE OF IT, WOULD TEND DIVEST PAREST FIRMS OF CONTROL
OVER THEIR CANADIAN SUBSIDIARIES, AND COULD THUS
CONCEIVABLY CAUSE SEVERE REPERCUSSIONS IN THE INVESTMENT
MARKET AS WELL AS PLACE AMERICAN INVESTORS IN DIFFICULT
POSITION VIS-A-VIS US LEGAL REQUIREMENTS.

2. I WILL BE EXPLORING THESE MATTERS WITH THE
FOREIGN MINISTER WHEN HE RETURNS TO OTTAWA SOME TIME
IN JANUARY AND HOPE TO HAVE DEPARTMENT'S VIEWS AND
COMMENTS. MEANWHILE, I THINK DEPARTMENT'S POSITON
THAT LITTON REQUEST WILL RECEIVE "PROPER CONSIDERATION"
IS ONE WE SHOULD HOLD TO. WE NEED TIME TO REFLECT ON
WHERE THESE CANADIAN AND CUBAN ENDEAVORS (SEE REFTEL C)
MAY AIM AT LEADING US.
PORTER

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